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# MAY NOT PROSECUTE

Mrs Di Pietro Who Killed Her Brotherin-Law in Self-Defence Will Probably Be Set Free, Although District-Attorney Must Send Case to Grand Jury.

Prisoner, After Singing in Her Cell to Her Baby, Tells of Rago's Persecutions, How He Threatened Her and She Sought in Vain to Evade Him.

Mrs. Rosa Di Pietro, who, with her baby in her arms, shot and killed Michael Rago, may not be prosecuted, although, as a matter of form, her case will have to go before the Grand Jury.

In the Yorkville Court to-day, when the Italian woman appeared before Magistrate Ommen for arraignment, Assistant District-Attorney Kernochan asked for an adjournment until to-morrow morning in order that he might find out the exact intentions of Mr. Jerome in the matter.

Mrs. Di Pietro appeared in court, bearing up well under the strain that has been put upon her the last two days. She still holds that she did right and is ready to tell the Magistrate the story of the shooting. Her unsuccessful attempts to secure quiet and peace in her home and a freedom from the brutish annoyances of the man she killed. The Assistant District-Attorney assigned to the case, as soon as the witness entered the court-room, which was packed with an eager, curious crowd, asked for the adjournment of a

"Why?" said Magistrate Ommen.

"Because I wish to find out just what the District-Attorney wishes me do in this case," replied Mr. Kernochan.

"Isn't this rather a strange procedure?" asked the Magistrate.

"I will be ready to go on with the case to-morrow," replied Mr. Kerchan, and the Magistrate consented. Commissioner Lantry told the woman that there was no doubt that

she would soon be at liberty when she begged him to open the prison door; for her and let her go free. "I am a good women. He was a bad, bad man," she told the Commis-

NOT SORRY FOR HER DEED. MRS. DI PIETRO SAYS.

BY JOSEPHINE ROBB. The scene in Yorkville Court to-day when Mrs. Rosa Di Pietro was arraigned was dramatic. Before the bar, surrounded by burly policemen,

Castalian, Crown Prince, Consideration, Jack Ratlin an his best race. Reliable doesn't SECOND RACE—\$1,000 added; two-year course. Start good. Won fastly. W. B. Van Meter. Time—0.59. Post—2.59. Iforses. Wt. St. 3. Zeala La.y Henrietta H. Philipsa 105
Neille Russell Cochran 105
Lucy Young P. Hewitt 105
Sufferance Co lins 110
Conjurer Gal Crimmins 105
Merces Travers 110
Raie Music J. Taylor 105

FOURTH RACE—All ages: \$1,000 added; Withers mile. Start good.
Ing. Winner. ch. h., by Hall.a.—Sudis McNairy. Owner. T. C.
Time 1.38-1.2. Post 3.20. Start 3.21.
In.ex. Horses. Jockeys. Wt. St. 54 55 74 75 Fin. Open | Company | Comp

Owner-J. A. Drake. Index. Horses, Jockeys. Ascette Crins
Ascette Chins
Prince Chins
Stolen Moments
April Shower (Chins)
Buckleva W
Cloverland
Hoodwink
Wassift Hile Colorling 587 7703 8793 538 8893 859 879 879 rimmins Burns O'Nell

(For Morria Park Entries See Page 13.)

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HUTCHINSON.

Park.

THE HURRICANA

S. Brown's Colt Gets Out of

the Maiden Class by Captur-

ing the Chief Event at Morris

THE WINNERS.

FIRST RACE-Rapid Water (8 to

1) 1, Martinmas (7 to 2) 2, Jack

SECOND RACE-Handzarra (2 to

FOURTH RACE-Alan-a-Dale (12

o 10) 1, Josund (4 10 5) 2, Ad-

FIFTH RACE-Leonidas (7 to 2)

SIXTH RACE-Liberia (3 to 2) 1,

Ascetic. (12 to 1) 2, Prince Ching 3.

(Special to The Evening World,)
MORRIS PARK RACE TRACK,

Oct. 5.-Glenecho won the Hurricana

chester this afternoon, and graduated

from the maiden ranks at the same

time. It is somewhat unusual for maid-

to graduate in stakes, but Glenecho

has been in few maiden races. He has

always been sent against stiff company.

He had only Bank to beat to-day. Bank

was heavily played because he had raced well down the hill in the spring,

Rapid Water in a Drive.

Liberia in a Gallop.

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. Castallan (9 to 2) 2, Adios 3.

5) 1, Floralia (7 to 1) 2, Fancy

THIRD RACE-Glenecho (8

5) 1, Bank (8 to 5) 2, Campo 3.



# HIGHLANDERS AT ST. LOUIS

HIGHLANDERS ..... 0 4 0 2 0 0 2 0 0— ST. LOUIS ..... 0 0 0 0 0 1 0 0—

(Continued from Sixth Column.)

Eghth Inning-Powell flied. Dougherty bunted safe. Keelen flied. Elberfe'd singled. Williams rolled to Gleason. No runs Kahoe hit safe. Petty fanned. Burkett flied. Heidrick fanned. No runs.

Ninth Inning-Anderson singled. Ganzel hit into a double olay. Conroy filed. No runs.

Wallace singled. Hynes boosted. Jones walked. Gleasor lifted. So did Moran. No runs.

M'COOEY REFUSES TO GET OUT. President John H. McCooey, of the Civil-Service Commission, who was to-day asked to resign, wrote to Mayor McClellin lan late this afternoon declining to do so.

The appointment of Bird S. Coler will operate as a remova of Mr. McCooey from office.

LATE ST. LOUIS RESULTS. Sixth Race-Lasso 1, Ingolthrift 2, Moweta 3.

Sixth Race-Lieut. Rice 1, Sheerty Belle 2, Arrah May 3

AT KANSAS CITY. Sixth Race—Exclamation 1, Dargin 2, Telephone 3.

# from the malden ranks at the same time. It is somewhat unusual for maidens that have been racing all the year ensemble the state of the IN MANY HARD FIGHTS

Columbia Players Snow Under the Tufts Boys to Keeler. No RUNS.

By a Score of 3 I to 0—Harvand 1.7 B.

We siever. FOUR RUNS.

Hynes fanned. Jones doubled to left, but died trying for third on Dougherty's berfeet throw to Conroy. Gleason lined to be a Score of 3 I to 0—Harvand 1.7 B.

We siever. FOUR RUNS. and Glenecho had never started on the Glenecho raced Bank into submis-sion in the first quarter and came away sion in the first quarter and came away very easily.

Alan-a-Dale beat Jocund 'n the mile race. He was in front all the way and was never extended. The time of the race, 1.38 1-2, equalled the respect for the course, held by Gunfire. If Alan-a-Dale had been bushed to-day he might have run close to the world's record.

FIRST HALF. Columbia, 20. Tufts, 0. SECOND HALF. Columbia, 11.

Rapid Water in a Drive.  Lady Uncas made the early pace with Reliable. Martinmas and Rapid Water in a close bunch behind Lady Uncas was done early and then Martinmas showed in frant for a short while. The favorite. Reliable, then died away and Rapid Water took the lead. He and	SECOND HALF. Columbia, 11. Tufts, 0. FINAL SCORE. Columbia, 39. Tufts 0.
Martinmas fought it out all the way home, Rapid Water winning by a head, Martinmas was three-quarters of a length in front of Jack Ratin. Handsarra Wins Easily.	Columbia. Position. Tufts. Griswold
Handzarra, a probibitive favorite in the second race, went to the front at the start and breezed home an easy winner by a length. Fancy Dress was second to the last sixteenth, where she tired, and Floralia, clysing strong, got up in time to beat her a length for the place.  (ilenecho Won Ensity.	Brown
Bank and Glenecho were heavily	igan. Umpire-W. Hockenberry, Franklin

Bank and Glenecho were heavily backed in the Hurricana, the taient conceding the race to be between the pair. The start was bad Bulwark being left and Darkle practically so. The other three got away in close order and ran on even terms for a quarter. Then Glenecho forsed to the front and it was all over. Glenecho winning as he pleased by four lengues from Bank, who was its lengths in front of Campo, the latter stopping fass.

columbia had an easy time beating with end of the front and it was all over. Glenecho winning as the pleased by four lengues from Bank, who was six lengths in front of Jocund was a strong favorite in the fourth race, but Alan-a-Dale was at his best and defeated Jocund very easily. Alan-a-Dale made the running a length in front of Jocund antil the stretch was reached. There O'Nell made his move on Jocund. Dut he never disturbed Alzn-a-Dale, who was rever a factor, was ix lengths away.

Lady Amelia was the favorite in the last part lengths. Admitted the flower of the second half. When Morley put in face, but the never disturbed his move on Jocund. Dut he never dis

Lady Amelia was the favorite in the Bronx Highweight Handicap, but lukewarm because it was doubtful that she would go down the hill. She had her tearly speed and led to the stretch, with Castalian and Adios next. In the run home Castalian went to the front and taved there to the last sixteenth, where dilizebrand closed with Leonidas and won a good race by half a length from Castalian, who beat Adios a length.

Liberia in a Gallop.

Metenthin falled at goal GOORE-

Liberia and Ascetic raced head and head followed by Stolen Moments and Prince Ching. There was no change in this order to the stretch, where Liberia and a minute later plum yards on a guard back play put the bil on the twen Stangland caught the second kick off. and a minute later plunged twenty yards on a guard back play. Columbia put the bil on the twenty-yrd line,

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# FOOTBALL

Mercersburg, 0, At New Haven-Yale, 23; Holy Cross, 0,

At American Levgue Park—Co-lumbia, 31: Tuffs, (, At Ithaca—Cornell, 24: Hobart, 0, At Philadelphia — Pennsylvania, 34: Franklia and Marshall, 0, At Carliale—Indians, 53: Susque-

hanna, 0.

At Soldiers' Field-Harvard, 17;
Bowdoin, 0.

At Amherat-Amherat, 23; New
York University, 0.

At Pennsylvania-Lafayette, 20;

Conroy. Jones singled, ing. Gleason singled. Ma double play. Williams to Ganzel. ONE BUN.

BOWLING CLUBS ARE ON PAGE 13.

Piso's Cure for Consumption also ures coughs, colds, sore lungs and sathma. \*\*\*

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Griffith's Men Take an Early Lead That the St. Louis Players Find It Hard to Over-

## BATTING ORDER.

arms. The New York team cannot afford to be idle to-day unless Boston. too, is unable to play or should donate one to the White Sox. Powell and Pelty are the boxmen carded for work if the game is played.

First Inning. Dougherry tapped to Siever. Keele out at first, Jones to Siever. Eiberfel tapped to Siever. NO RUNS. Burkett walked. Heidrick out. El

7. Williams hit for a base and took third on Anderson's safety. Ganzel singled to left. Williams scoring. Anderson and Ganzel moved up on Burkett's Ineffectual throw-in. Conroy tripled to right. Anderson and Ganzel scoring. Kleinow tapped to Slever. Powell out. Moran to first. Conrov scoring. Dougherty rolled to Slever. FOUR RUNS.

RESULTS OF

RESULTS OF

Conroy got Moran's fly Kahte grounded to Conroy. Slevers out on Conroy's fast assist. NO RUNS.

Fourth Inning.

GAMES TO-DAY

Gansel tripled to right. Conroy singled to centre, Gansel scoring. Kleinow filed to Hynes. Conroy stole second and took third on Wallace's must of Kahoe's throw. Fowell fanned. Conroy tallied on a wild pitch. Bouguherty singled to right. Keeler lifted to Hynes. TWO RUNS. BI/NS.

Burkett fanned. Anderson ran back for a sensational catch of Heidrick's long hit. Williams fouled to Ganzel.

NO RUNS.

Fifth Inning.

Eiberfeld out to Gleason, Williams singled. Wallace fumbled Anderson's grasser. Hynes caught Williams off second, Jones touching Jimmy out. Ganzel out on Gleason's fast assist. NO RUNS.

Hynes rolled to Eiberfeld, Jones out to Ganzel. Gleason dropped a lucky double in centre. Moran popped to Eiberfeld. NO RUNS.

Styth Inning. Conrey grounded to Wallace, Kleinow walked. Powell popped to Gleason. Dougherty tapped to Hynes. NO RUNS. Mahoe rolled to Conroy. Pelty fanned, Burkett walked. Heidrick rolled to Eiberfeld, who fossed to Williams, catching Burkett NO RUNS.

Seventh Inning. Keeler walked. Hynes caught him napping off first. Elberfeld singled. He stole second and took third on a passed ball. Williams made his fourth hit. a triple to the bulletin board. Elberfeld scoring. Anderson beat Wullace's long throw. Williams scoring. Ganzel singled. Conroy fanned. McManus batted for Kleinow. McManus popped to Jones. TWO RUNS.

Wallace singled. Hynes rolled to Conroy. Jones singled. Wallace scor-

Moran hit int WITHDRAWS BID FOR PIERS

Dock Commissioner Featherson this afternoon received a letter from Vice-President Franklin, of the International Mercantile Marine Company, stating that that company would withdraw its offer made last December for five and a half piers in the Chefsea improvement scheme.

The company says that lower terms can be secured in other cities, and will try to make new terms with the New York City officials if it is desired. Mercantile Marine Company, stating

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Mayor McClellan Sustains Reform Association's Charges Against Commissioners and Turns Them Out-Bird S. Coler Heads the New Commission.

# COMMISSIONER OF BRONX PARKS ALSO REMOVED

Schmitt Charged with Juggling the Rolls in Appointment of Laborers and Civil-Service Commissioners Accused of Being in Collusion with Him.

Mayor McClellan removed from office the entire Civil-Service Commission to-day, charging the members of the board with wilful evasion of the Civil-Service law.

A few hours later he appointed a new board, reducing the number of commissioners from six to three. Bird S. Coler, the former Comptroller, is to replace John H. McCooey as President of the Commission, His two fellow-members are Alfred Talley, a lawyer, and Ross Appleton, of

Mr. Coler's sympathy has been with Charles F. Murphy in his fight with Senator McCarren. Mr. Talley is a prominent Democrat in the Ninth Assembly District. The new Republican Commissioner, Mr. Ross Appleton, is a leader of his party in Brooklyn, and represents the reform element of that borough. Mr. Color will receive a salary of \$6,000 a year. His associate

When Mr. McCiellan summarily removed the Civil-Service Comm cioners he also removed William P. Schmitt, Park Commissioner of the Bronz, whom he charged with juggling the civil-service lists in distributing patronage in the department,

BELL JUST ESCAPED.

Commissioner Hal Bell, a lawyer, of No. 346 Broadway, escaped the summary action of the Mayor as he had tendered his resignation on Sept. would not have allowed him to resign.

The Mayor's sweeping act grew out of an investigation and charges made by the Civil Service Reform Association that names were fllegally certified to on the pay roll of Park Commissioner Schmitt.

These charges were sent to the Civil-Service Commission. The Commission replied stating that they had acted within the law. This answer

(Continued on Second Page.)

## RESULTS OF TO-DAY'S BASE-BALL GAMES.

NATIONAL LEAGUE.

CHICAGO AT BOSTON. Chicago. .... 0 1 0 0 0 0 0 1 0- 2 Boston..... 0 0 0 0 0 0 0 0 0 0 Batteries-Lundgren and Kling; Wil-

No games were scheduled for the otherclubs in the National League.

NATIONAL LEAGUE STANDING W. L. P.C. F. L. P.C.
New York.105 45 .700 St. Louis. 73 73 .500
Chicago... 92 58 .613 Brookiyn. .56 96 .308
Cincinnati 84 65 .584 Boston... .55 96 .204
Fittsburg. 83 65 .561 Phila phia 50 100 .383

AMERICAN LEAGUE.

Boston ..... 0 0 0 0 0 0 3 9 0- 3 Chicago ..... 0 0 0 0 0 0 0 0 0 0 0 Batteries-Young and Criger: A'treek and Sullivan.

WASHINGTON AT DETROIT. FIRST GAME. Washington. . . 2 0 0 0 0 0 1 1 0- 4

Detroit ..... 0 1 0 0 0 0 0 0 0 - 1 Batteries-Wolfe and Clark, Mullen and Drill. SECOND GAME. Washington ... 1 0 0 0 0

Detroit ..... 0 0 0 1 0 Bauteries—Townsend and Kittridge; Raymond and Drill. Game called by agreement.

PHILADELPHIA AT CLEVELAND. Game postgoned on account of rain.

AMERICAN LEAGUE STANDING

W. L. P. C. W. L. P C Boston... 22 57 .417 Ph/la phia78 67 .398 New York 60 56 .616 St. Louis..64 84 .432 Chicago.. 86 64 .573 Detroit... 61 85 .418 Cleveland.81 64 .559 Washing n35 110 .341

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Force of Portuguese Surprised in West Africa by Natives, and Nineteen Officers and 235 Men Killed in Attack.

LISBON, Oct. 5.-The Minister of Marine announced in the Chamber today that a detachment of Portugue n Portuguese West Africa against the Cuanhames, was surprised by the tribesmen while crossing the Cunena

River.

The detachment, which numbered 40 officers and men, lost 154 killed including lifteen officers, and fifty wounded. It is officially announced that Germany will put 8,000 European troops in the field against the Hereros in German Southwest Africa, who are neighbors of the Cuanhamas. Both tribes are established in the Cunene district. The Cunene River forms the boundary between German and Portuguese Southwest Africa.

The Cunene, or Cuneni, River is in Southwest Africa. It flows into the Atlantic in about latitude is degrees south and forms in the lower part of its course the southern boundary of the l'ortuguese colony of Angola.

A despatch from Lisbon in June lust that a punitive expedition was about to be despatched to Portuguese tridge; there is in Consequence of the hreatening attitude of the natives of both East and West Africa the natives of both East and West Africa have been showing signs of insubordination which aused the Portuguese Government much uneasiness.

## THREE THUGS PLEAD GUILT

"Humpy" Jackson and two me of his gang, Robert Crowley and am Noble, pleaded guilty before McMahon in General Sessions toattempted assault in the second

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